

# From the Upper Chamber



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## Report for Friday, March 28, 2008

The thirty-sixth day of the 2008 legislative session was called to order by Lieutenant Governor **Casey Cagle**.

Senator **Don Balfour** of the 9<sup>th</sup> stated that the journal had been read and was found to be correct.

Senate Bills 559-561, Senate Resolutions 1244 and 1247 and House Bills 1447, 1449-1451, 1453 and 1455 were read for the first time and assigned to committee. The clerk then read the reports of standing committees and second readers.

Majority Leader **Tommie Williams** of the 19<sup>th</sup> moved to suspend the morning roll call. There was no objection.

Sen. **Gail Davenport** of the 44<sup>th</sup> led the Senate in the Pledge of Allegiance. She then introduced the *Chaplain of the Day*, Reverend **Charles Grant** of Mount Welcome Missionary Baptist Church in Decatur, who led the Senate in the daily devotional.

The Senate Consent Calendar of Privileged Resolutions, consisting of SR 1224, 1226-1243, 1245 and 1248-1252, was adopted.

The Senate Local Consent Calendar, consisting of HB 1208, 1304, 1309, 1312, 1313, 1406, 1423, 1427, 1430, 1282, 1424-1426, 1442, 1443 and 1445, was adopted by a vote of 46 to 0.

Sen. **Chip Rogers** of the 21<sup>st</sup> moved to engross HB 1244. The bill was engrossed by a vote of 30 to 18.

Sen. **Rogers** moved to engross HB 1246. The bill was engrossed by a vote of 30 to 18.

Sergeant-at-Arms **Lorenzo Wallace** escorted Sen. **Ed Tarver** of the 22<sup>nd</sup> and his guest, Judge **John H. "Jack" Ruffin**, to the rostrum. The clerk read SR 1206, which

recognizes and commends Judge **Ruffin** for his years of service on the Court of Appeals in Augusta. Sen. **Tarver** spoke to the resolution.

The clerk read HB 1041, which requires nursing license applicants to complete a criminal background check. Sen. **Don Thomas** of the 54<sup>th</sup> took the well to present the bill and Amendment 1, which makes language clarifications.

Amendment 1 was unanimously adopted.

HB 1041 passed as amended by a vote of 51 to 1.

The clerk read HB 715, which removes outdated language and allows each county board of family and children services to recommend names to the Commissioner of Human Services for the position of county director. Sen. **Thomas** of the 54<sup>th</sup> took the well to present the bill.

HB 715 passed by a vote of 50 to 2.

The clerk read HB 732, which allows investigators of the Composite State Board of Medical Examiners to be eligible for membership in the Peace Officers' Annuity and Benefit Fund. Sen. **Thomas** of the 54<sup>th</sup> took the well to present the bill.

HB 732 passed by a vote 52 to 2.

The clerk read the report of the Rules Committee.

The clerk read HB 1244, which cuts the Georgia income tax rate for all income brackets by 10 percent over five years. Sen. **Rogers** took the well to present the bill.

The Committee Substitute to HB 1244 was unanimously adopted.

HB 1244 passed by substitute by a vote of 49 to 6.

The clerk read House Resolution 1246, which restricts assessed value increases for real property. Sen. **Rogers** took the well to present the resolution and yielded to questions from Senators **Nan Orrock** of the 36<sup>th</sup>, **Judson Hill** of the 32<sup>nd</sup> and **Steve Henson** of the 41<sup>st</sup>.

Sen. **Harp** rose on a Point of Personal Privilege to recognize the Flint River Academy football team, seated in the Senate gallery.

Sen. **Steve Thompson** of the 33<sup>rd</sup> took the well to speak in support of HR 1246 and yielded to questions from Sen. **David Shafer** of the 48<sup>th</sup>.

Sen. **Vincent Fort** of the 39<sup>th</sup> took the well to voice concerns with the lack of funding for essential initiatives.

The Committee Substitute to HR 1246 was unanimously adopted.

HR 1246 was adopted by substitute by a vote of 46 to 7.

The clerk read HB 1126, which allows one director appointed to the board of a Downtown Development Authority to reside outside the county. Sen. **Mitch Seabaugh** of the 28<sup>th</sup> took the well to present the bill.

Amendment 1, which makes language clarifications, was unanimously adopted.

HB 1126 passed as amended by a vote of 49 to 3.

The clerk read HB 1243, which authorizes nonprofit civic organizations, with a temporary permit, to sell wine at retail for off-premise consumption. Sen. **Seth Harp** of the 29<sup>th</sup> took the well to present the bill and yielded to questions from Sens. **Orrock** and **Shafer** .

HB 1243 passed by a vote of 39 to 13.

Sen. **Harp** moved for the immediate transmittal of HB 1243 to the House. There was no objection.

The clerk read House Bill 241, which establishes the requirements of apprenticeship training to become a dispensing optician. Sen. **Harp** took the well to present the bill.

HB 241 passed by a vote of 51 to 1.

The clerk read HB 649, which creates the Georgia Blueberry Commission. Sen. **Greg Goggans** of the 7<sup>th</sup> took the well to present the bill.

The Committee Substitute to HB 649 was unanimously adopted.

HB 649 passed by substitute by a vote of 50 to 0.

The clerk read HB 673, which requires a liability insurer to provide a notice of damage of an automobile to a third party. Sen. **Ralph Hudgens** of the 47<sup>th</sup> took the well to present the bill.

Sen. **Thompson** of the 33<sup>rd</sup> took the well to speak in support of the bill.

HB 673 passed by a vote 50 to 0.

The clerk read HB 990, the general appropriations bill for FY 09. Sen. **Jack Hill** of the 4<sup>th</sup> took the well to present the bill and yielded to questions from Sens. **Ed Harbison** of the 15<sup>th</sup> and **John Douglas** of the 17<sup>th</sup>.

The Committee Substitute to HB 990 was unanimously adopted.

HB 990 passed by substitute by a vote of 50 to 0.

Sen. **Hill** of the 4<sup>th</sup> moved for the immediate transmittal of HB 990 to the House. There was no objection.

The clerk read HB 1016, which clarifies the separation point between salt and fresh waters for commercial and sport fishing. President Pro Tempore **Eric Johnson** of the 1<sup>st</sup> took the well to present the bill.

The Committee Substitute to HB 1016 was unanimously adopted.

HB 1016 passed by substitute by a vote of 49 to 1.

The clerk read HB 1121, which requires condominium homeowners' associations to purchase a property insurance policy and a commercial general liability insurance policy for their property. Sen. **Hudgens** took the well to present the bill.

HB 1121 passed by a vote of 48 to 1.

The clerk read HB 1132, known as the *Uniform Environmental Covenants Act*, which creates a legal mechanism to record a property's environmental problems and to include land use restrictions for contaminated property. Sen. **Harp** took the well to present the bill and yielded to questions from Sen. **Henson**.

Sen. **Michael Meyer von Bremen** of the 12<sup>th</sup> moved to be excused from voting on HB 1132. There was no objection.

The Committee Substitute to HB 1132 was unanimously adopted.

HB 1132 passed by substitute by a vote of 44 to 1.

The clerk read HB 1176, which authorizes the participation of cities, counties, the Department of Natural Resources (DNR) and private partners in the acquisition of land conservation projects. Sen. **Ross Tolleson** of the 20<sup>th</sup> took the well to present the bill.

HB 1176 passed by a vote of 46 to 1.

Sen. **Johnson** took the gavel to preside over the Senate.

The clerk read HB 1186, which requires workers' compensation insurers and self-insurers to limit the value of future assessments regarding the Subsequent Injury Trust Fund. Sen. **Hudgens** took the well to present the bill and yielded to questions from Sen. **Regina Thomas** of the 2<sup>nd</sup>.

HB 1186 passed by a vote of 44 to 1.

The clerk read HR 1103, which creates the Joint Study Committee on Teacher Training and Certification.

HR 1103 was adopted by a vote of 46 to 1.

The clerk read HR 1310, which solves a boundary dispute and allows for the conveyance of state property. Sen. **Johnny Grant** of the 25<sup>th</sup> took the well to present the bill.

The Committee Substitute to HR 1310 was unanimously adopted.

HR 1310 was adopted by a vote of 43 to 1.

Sen. **Preston Smith** of the 52<sup>nd</sup> moved to adhere to the Senate's position on SB 145 and appoint a Conference Committee, consisting of Sens. **Joseph Carter** of the 13<sup>th</sup>, **Bill Cowsert** of the 46<sup>th</sup> and **Smith** . There was no objection.

Sen. **Bill Hamrick** of the 30<sup>th</sup> moved to adhere to the Senate's disagreement of the House Substitute to SB 430 and appoint a Conference Committee, consisting of Sens. **Jack Murphy** of the 27<sup>th</sup>, **Hamrick** and **Jeff Mullis** of the 53<sup>rd</sup>. There was no objection.

Sen. **John Wiles** of the 37<sup>th</sup> moved to insist to the Senate Substitute to HB 1245. There was no objection.

Sen. **Ronnie Chance** of the 16<sup>th</sup> moved to insist to the Senate Substitute to HB 1055. There was no objection.

The clerk read HR 1427, which dedicates the Lee State Prison as the Robert S. "Bob" Boney State Prison. Sen. **Hooks** took the well to present the resolution.

HR 1427 was adopted by a vote of 48 to 0.

Sen. **Hill** of the 4<sup>th</sup> moved to insist to the Senate Substitute to HB 990. There was no objection.

The clerk read HB 358, which increases the amount of death benefits paid to beneficiaries of members of the Sheriffs' Retirement Fund. Sen. **Murphy** took the well to present the bill.

HB 358 passed by a vote of 47 to 0.

Sen. **Williams** moved to adhere to the disagreement to the House Substitute to SR 845 and appoint a Conference Committee, consisting of Sens. **Doug Stoner** of the 6<sup>th</sup>, **Balfour** and **Mullis** . There was no objection.

Sen. **Williams** moved to insist to the Senate Substitute to HB 1111. There was no objection.

The clerk read HB 1105, which requires hospitals to offer inpatient vaccination of patients age 65 or older. Sen. **Renee Unterman** of the 45<sup>th</sup> took the well to present the bill.

The Committee Substitute to HB 1105 was unanimously adopted.

HB 1105 passed by substitute by a vote of 45 to 1.

Sen. **Wiles** moved to agree to the House Substitute to SB 350. Sen. **Wiles** took the well to speak to the bill.

The Senate agreed to the House Substitute to SB 350 passed by a vote of 38 to 8.

Sen. **Rogers** moved to agree to the House Amendment to the Senate Substitute to HB 301. Sen. **Rogers** took the well to speak to the bill and yielded to questions from Sen. **Unterman** .

The motion to agree to the House Amendment to the Senate Substitute to HB 301 passed by a vote of 44 to 0.

Sen. **Williams** moved to adhere to the Senate Substitute to HB 990 and appoint a Conference Committee, consisting of Sens. **Johnson** , **Hill** of the 4<sup>th</sup> and **Williams** . There was no objection.

Following the morning announcements, Sen. **Williams** moved that the Senate stand in recess until 12:00 a.m., then adjourn until 10:00 a.m. on Monday, March 31.

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